

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MINUTE ENTRY FOR A CIVIL PROCEEDING
☐ **SEALED PROCEEDING**

BEFORE: Judge Joanna Seybert
DATE: 3 / 1 / 2021
TIME: 2:00 PM (Hrs.) 15 (Mins.)
DOCKET: 18 - cv - 1303 (JS)(AKT)
TITLE: Flanagan v. William G. Prophy, LLC, et al

APPEARANCES:

PLAINTIFF(S): William Troy LaVelle, Esq.

DEFENDANT(S): Sean Hogan, Esq.

OTHER: _____ **COURT REPORTER:** Paul Lombardi

_____ **FTR TIME:** _____
_____ **COURTROOM DEPUTY:** Eric Russo

The following proceedings were held:

- | | |
|---|---|
| <input type="checkbox"/> Discovery Conference | <input type="checkbox"/> Pre-Motion Conference |
| <input type="checkbox"/> Evidentiary Hearing | <input type="checkbox"/> Pre-Trial Conference |
| <input type="checkbox"/> Fairness Hearing/Settlement Conference | <input type="checkbox"/> Show Cause Hearing |
| <input type="checkbox"/> Initial Conference | <input checked="" type="checkbox"/> Status Conference |
| <input type="checkbox"/> Motion Hearing/Oral Argument/Oral Ruling | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Preliminary Injunction Hearing | |

- ☐ Initial Conference held.
- ☐ The parties summarized the details of the case.
 - ☐ The parties agreed to a discovery schedule:
 - ☐ which will be entered under a separate Scheduling Order.
 - ☐ as follows:
 - ☐ Phase I Discovery to be completed by: ____/____/____
 - ☐ All discovery to be completed by: ____/____/____
 - ☐ Dispositive motion practice to commence: ____/____/____
 - ☐ Joint proposed pretrial order due by: ____/____/____
 - ☐ The Court adopted and So Ordered the joint proposed Scheduling Order previously submitted by the parties:
 - ☐ in its entirety.
 - ☐ with revisions as agreed to by all parties.
 - ☐ The Court respectively refers all discovery matters to Magistrate Judge _____.
 - ☐ See below for additional details and/or the scheduling of further proceedings.

- ☐ Discovery Conference held.
- ☐ The parties advised the Court of the status of discovery in this case.
 - ☐ The parties agreed to a revised discovery schedule:
 - ☐ which will be entered under a separate Scheduling Order.
 - ☐ as follows:
 - ☐ Phase I Discovery to be completed by: ____/____/____
 - ☐ All discovery to be completed by: ____/____/____
 - ☐ Dispositive motion practice to commence: ____/____/____
 - ☐ Joint proposed pretrial order due by: ____/____/____
 - ☐ The Court adopted and So Ordered the joint proposed revised Scheduling Order previously submitted by the parties:
 - ☐ in its entirety.
 - ☐ with revisions as agreed to by all parties.
 - ☐ The Court respectively refers all discovery matters to Magistrate Judge _____.
 - ☐ See below for additional details and/or the scheduling of further proceedings.

- ☐ Pre-Motion Conference held.
- ☐ Parties arguments were heard regarding the proposed motion(s).
 - ☐ The Plaintiffs were granted leave to file their motion.
 - ☐ The Defendants were granted leave to file their motion.
 - ☐ The parties agreed to the following briefing schedule:

<input type="checkbox"/> Plaintiffs' Motion due by: ____/____/____	<input type="checkbox"/> Defendants' Motion due by: ____/____/____
<input type="checkbox"/> Defendants' Response due by: ____/____/____	<input type="checkbox"/> Plaintiffs' Response due by: ____/____/____
<input type="checkbox"/> Plaintiffs' Reply due by: ____/____/____	<input type="checkbox"/> Defendants' Reply due by: ____/____/____
 - ☐ The parties were directed to file a proposed briefing schedule for court approval on or before ____/____/____.
 - ☐ The Movant was directed to provide the Court with courtesy copies of the fully-briefed motion.
 - ☐ The individual parties were directed to provide the Court with courtesy copies of their individual submissions.
 - ☐ The Court will set a date/time for oral argument, if necessary.
 - ☐ The Court respectively refers the motion to Magistrate Judge _____:
 - ☐ for purposes of submitting a Report and Recommendation for this Court's consideration.
 - ☐ to rule on the motion(s) in its entirety.
 - ☐ See below for additional details and/or the scheduling of further proceedings.

- ☒ Status Conference held.
- ☒ The parties advised the Court of the status of this case.
 - ☐ The Plaintiffs were granted leave to amend their previously entered briefing schedule.
 - ☐ The Defendants were granted leave to amend their previously entered briefing schedule.
 - ☐ The parties agreed to the following amended briefing schedule:

<input type="checkbox"/> Plaintiffs' Motion due by: ____/____/____	<input type="checkbox"/> Defendants' Motion due by: ____/____/____
<input type="checkbox"/> Defendants' Response due by: ____/____/____	<input type="checkbox"/> Plaintiffs' Response due by: ____/____/____
<input type="checkbox"/> Plaintiffs' Reply due by: ____/____/____	<input type="checkbox"/> Defendants' Reply due by: ____/____/____
 - ☐ The parties were directed to file a proposed briefing schedule for court approval on or before ____/____/____.
 - ☐ The Movant was directed to provide the Court with courtesy copies of the fully-briefed motion.
 - ☐ The individual parties were directed to provide the Court with courtesy copies of their individual submissions.
 - ☐ The Court will set a date/time for oral argument, if necessary.
 - ☐ The Court respectively refers the motion to Magistrate Judge _____:
 - ☐ for purposes of submitting a Report and Recommendation for this Court's consideration.
 - ☐ to rule on the motion(s) in its entirety.
 - ☒ See below for additional details and/or the scheduling of further proceedings.

- ☐ Motion Hearing/Oral Argument/Oral Ruling held regarding _____.
- ☐ Parties arguments were heard.
 - ☐ Witness(es) for the Plaintiffs were called and sworn; testimony given.
 - ☐ Witness(es) for the Defendants were called and sworn; testimony given.
 - ☐ Exhibits were entered into evidence.
 - ☐ The motion was: ☐ granted; ☐ denied; ☐ granted, in part, and denied, in part.
 - ☐ The decision was: ☐ entered on the record; ☐ reserved.
 - ☐ The Court will issue a written decision.
 - ☐ See below for additional details and/or the scheduling of further proceedings.
- ☐ Fairness Hearing/Settlement Conference held.
- ☐ The parties outlined the details of the settlement agreement.
 - ☐ No party(ies) appeared opposing settlement.
 - ☐ Objections to the proposed settlement were heard.
 - ☐ The Motion for Settlement Approval was: ☐ granted; ☐ denied; ☐ granted, in part, and denied, in part.
 - ☐ The Motion for Attorney Fees was: ☐ granted; ☐ denied; ☐ granted, in part, and denied, in part.
 - ☐ The decision was: ☐ entered on the record; ☐ reserved.
 - ☐ The Court will issue a written decision.
 - ☐ See below for additional details and/or the scheduling of further proceedings.
- ☐ Pre-Trial Conference held.
- ☐ The parties advised the Court of the status of this case.
 - ☐ The Court accepted the joint pretrial order:
 - ☐ in its entirety.
 - ☐ with revisions as agreed to by all parties.
 - ☐ The Court deemed this case ready for trial.
 - ☐ The parties were directed to file their motion(s) *in limine* by: ____/____/____.
 - ☐ The parties were directed to file their proposed *voir dire* by: ____/____/____.
 - ☐ The parties were directed to file their proposed *request to charge* by: ____/____/____.
 - ☐ See below for additional details and/or the scheduling of further proceedings.
- ☐ Evidentiary Hearing held.
- ☐ Parties arguments were heard.
 - ☐ Witness(es) for the Plaintiffs were called and sworn; testimony given.
 - ☐ Witness(es) for the Defendants were called and sworn; testimony given.
 - ☐ Exhibits were entered into evidence.
 - ☐ The decision was: ☐ entered on the record; ☐ reserved.
 - ☐ The Court will issue a written decision.
 - ☐ See below for additional details and/or the scheduling of further proceedings.
- ☐ Preliminary Injunction Hearing held.
- ☐ Parties arguments were heard.
 - ☐ The motion was: ☐ granted; ☐ denied; ☐ granted, in part, and denied, in part.
 - ☐ The decision was: ☐ entered on the record; ☐ reserved.
 - ☐ The Court will issue a written decision.
 - ☐ See below for additional details and/or the scheduling of further proceedings.
- ☐ Show Cause Hearing held.
- ☐ Parties arguments were heard.
 - ☐ The motion was: ☐ granted; ☐ denied; ☐ granted, in part, and denied, in part.
 - ☐ The decision was: ☐ entered on the record; ☐ reserved.
 - ☐ The Court will issue a written decision.
 - ☐ See below for additional details and/or the scheduling of further proceedings.

Other rulings made during the proceedings:

☐ Parties move to seal the record of this proceeding and the application was granted. Transcripts of this proceeding can be made available to the Court and counsel to the parties only.

☒ Other:

- This proceeding was held via the Court's teleconferencing system.

The following conferences/hearings were set:

☐ No further conferences or hearings have been set at this time.

☐ See below for conference/hearing dates set.

☐ Bench Trial set for: ____/____/____ at ____:____ before _____, courtroom ____.

☐ Discovery Conference set for: ____/____/____ at ____:____ before _____, courtroom ____.

☐ Evidentiary Hearing set for: ____/____/____ at ____:____ before _____, courtroom ____.

☐ Fairness Hearing set for: ____/____/____ at ____:____ before _____, courtroom ____.

☐ Jury Selection set for: ____/____/____ at ____:____ before _____, courtroom ____.

☐ Jury Trial set for: ____/____/____ at ____:____ before _____, courtroom ____.

☐ Motion Hearing/Oral Argument set for: ____/____/____ at ____:____ before _____, courtroom ____.

☐ Preliminary Injunction Hearing set for: ____/____/____ at ____:____ before _____, courtroom ____.

☐ Pre-Motion Conference set for: ____/____/____ at ____:____ before _____, courtroom ____.

☐ Pre-Trial Conference set for: ____/____/____ at ____:____ before _____, courtroom ____.

☐ Settlement Conference set for: ____/____/____ at ____:____ before _____, courtroom ____.

☐ Show Cause Hearing set for: ____/____/____ at ____:____ before _____, courtroom ____.

☒ Status Conference set for: 5 / 10 / 2021 at 11 : 00 AM before Judge Joanna Seybert, courtroom see below.

☒ Other/Special instructions regarding the conferences/hearings set:

- The conference will be held via the Court's teleconferencing system. Parties are directed to dial the following telephone number at the designated time: 877-336-1839, access code 7231185.